

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	0

### MR. SPEAKER:

*Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1100, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 3, line 18, strike "905".
- 2       Page 3, line 19, strike "IAC 1-15.1-2(a)." and insert "**905**
- 3       **IAC 1-41-2(a).**"
- 4       Page 3, between lines 38 and 39, begin a new paragraph and insert:
- 5       "SECTION 5. IC 7.1-3-1-25 IS AMENDED TO READ AS
- 6       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 25. (a) A city or county
- 7       listed in this subsection that by itself or in combination with any other
- 8       municipal body acquires by ownership or by lease any stadium,
- 9       exhibition hall, auditorium, theater, convention center, or civic center
- 10      may permit the retail sale of alcoholic beverages upon the premises if
- 11      the governing board of the facility first applies for and secures the
- 12      necessary permits as required by this title. The cities and counties to
- 13      which this subsection applies are as follows:
- 14      (1) A consolidated city or its county.
- 15      (2) A city of the second class.
- 16      (3) A county having a population of more than one hundred thirty

1 thousand six hundred (130,600) but less than two hundred  
2 thousand (200,000).

3 (4) A county having a population of more than three hundred  
4 thousand (300,000) but less than four hundred thousand  
5 (400,000).

6 (5) A city having a population of less than ten thousand (10,000)  
7 that is located in a county having a population of more than four  
8 hundred thousand (400,000) but less than seven hundred thousand  
9 (700,000).

10 (6) A county having a population of more than one hundred eight  
11 thousand nine hundred fifty (108,950) but less than one hundred  
12 twelve thousand (112,000).

13 (7) A county having a population of more than one hundred eight  
14 thousand (108,000) but less than one hundred eight thousand nine  
15 hundred fifty (108,950).

16 (b) A county having a population of more than four hundred  
17 thousand (400,000) but less than seven hundred thousand (700,000) or  
18 a township located in such a county that has established a public park  
19 with a golf course within its jurisdiction under IC 36-10-3 or  
20 IC 36-10-7 may be issued a permit for the retail sale of alcoholic  
21 beverages on the premises of any community center within the park,  
22 including a clubhouse, social center, or pavilion.

23 (c) A township that:

24 (1) is located in a county having a population of more than one  
25 hundred thousand (100,000) but less than one hundred seven  
26 thousand (107,000); and

27 (2) acquires ownership of a golf course;  
28 may permit the retail sale of alcoholic beverages upon the premises of  
29 the golf course, if the governing board of the golf course first applies  
30 for and secures the necessary permits required by this title.

31 (d) A township:

32 (1) having a population of more than thirty thousand (30,000) and  
33 less than seventy-five thousand (75,000); and

34 (2) located in a county having a population of more than four  
35 hundred thousand (400,000) but less than seven hundred thousand  
36 (700,000);

37 may be issued a permit for the retail sale of alcoholic beverages on the  
38 premises of any community center or social center that is located

1 within the township and operated by the township.

2 (e) A city that:

3 (1) has a population of:

4 (A) more than fifty-eight thousand (58,000) but less than sixty  
5 thousand (60,000); **or**

6 **(B) more than forty thousand (40,000) but less than**  
7 **forty-three thousand (43,000); and**

8 (2) owns a golf course;

9 may permit the retail sale of alcoholic beverages upon the premises of  
10 the golf course if the governing board of the golf course first applies for  
11 and secures the necessary permits required by this title.

12 (f) A city that:

13 (1) has a population of more than thirty-three thousand eight  
14 hundred fifty (33,850) but less than thirty-five thousand (35,000);  
15 and

16 (2) owns or leases a marina;

17 may permit the retail sale of alcoholic beverages upon the premises of  
18 the marina, if the governing board of the marina first applies for and  
19 secures the necessary permits required by this title.

20 (g) A city listed in this subsection that owns a marina may be issued  
21 a permit for the retail sale of alcoholic beverages on the premises of the  
22 marina. However, the city must apply for and secure the necessary  
23 permits that this title requires. This subsection applies to the following  
24 cities:

25 (1) A city having a population of more than one hundred ten  
26 thousand (110,000) but less than one hundred twenty thousand  
27 (120,000).

28 (2) A city having a population of more than seventy-five thousand  
29 (75,000) but less than ninety thousand (90,000).

30 (3) A city having a population of more than thirty-three thousand  
31 (33,000) but less than thirty-three thousand eight hundred fifty  
32 (33,850).

33 (4) A city having a population of more than twenty-seven  
34 thousand (27,000) but less than thirty thousand (30,000).

35 (5) A city having a population of more than twenty-one thousand  
36 eight hundred thirty (21,830) but less than twenty-three thousand  
37 (23,000).

38 (h) Notwithstanding subsection (a), the commission may issue a

1 civic center permit to a person that:

- 2 (1) by the person's self or in combination with another person is  
 3 the proprietor, as owner or lessee, of an entertainment complex;  
 4 or  
 5 (2) has an agreement with a person described in subdivision (1)  
 6 to act as a concessionaire for the entertainment complex for the  
 7 full period for which the permit is to be issued.

8 SECTION 6. IC 7.1-3-4-2 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The commission  
 10 shall not issue a beer retailer's permit, except as otherwise authorized  
 11 in this title and subject to the other restrictions contained in this title,  
 12 to the following persons:

- 13 (1) An alien.  
 14 (2) A person who:  
 15 (A) is not of good moral character and of good repute in the  
 16 community in which the person resides; **or**  
 17 **(B) has been convicted within ten (10) years before the date**  
 18 **of application of:**  
 19 (i) **a federal crime having a sentence of at least one (1)**  
 20 **year;**  
 21 (ii) **an Indiana Class A, Class B, or Class C felony; or**  
 22 (iii) **a crime in a state other than Indiana having a**  
 23 **penalty equal to the penalty for an Indiana Class A,**  
 24 **Class B, or Class C felony.**  
 25 (3) A person who does not own the premises to which the permit  
 26 will be applicable, or who does not have a bona fide lease on the  
 27 premises for the full period for which the permit is to be issued.  
 28 (4) A law enforcement officer or an officer who is not an elected  
 29 officer of a municipal corporation, or governmental subdivision,  
 30 or of this state, charged with any duty or function in the  
 31 enforcement of this title.  
 32 (5) An officer or employee of a person engaged in the alcoholic  
 33 beverage traffic, which person is a nonresident of this state, or is  
 34 engaged in carrying on any phase of the manufacture of, traffic in,  
 35 or transportation of alcoholic beverages without a permit under  
 36 this title when a permit is required by this title.  
 37 (6) If the permit applicant does not hold a brewer's permit, a  
 38 person who leases from a person, or an officer or agent of that

1 person, who holds a brewer's permit or a beer wholesaler's permit.

2 (7) If the permit applicant does not hold a brewer's permit, a  
3 person who is indebted to a person who holds a brewer's permit  
4 or a beer wholesaler's permit, or an officer or agent of that person,  
5 for a debt secured by a lien, mortgage, or otherwise, upon the  
6 premises for which the beer retailer's permit is to be applicable,  
7 or upon any of the property or fixtures on the premises, or used,  
8 or to be used in connection with the premises.

9 (8) A person whose place of business is conducted by a manager  
10 or agent, unless the manager or agent possesses the same  
11 qualifications required for the issuance of a beer retailer's permit  
12 to the person.

13 (9) A minor.

14 (10) A person non compos mentis.

15 (11) A person who has held a permit under this title and who has  
16 had that permit revoked within one (1) year prior to the date of  
17 application for a beer retailer's permit.

18 (12) A person who has made an application for a permit of any  
19 type which has been denied less than one (1) year prior to the  
20 person's application for a beer retailer's permit unless the first  
21 application was denied by reason of a procedural or technical  
22 defect.

23 (13) A person who is not the proprietor of a restaurant located and  
24 being operated on the premises described in the application for  
25 the beer retailer's permit, or of a hotel, or of a club, owning, or  
26 leasing the premises as a part of it. The disqualification contained  
27 in this subdivision shall not apply to the qualifications for or  
28 affect the privileges to be accorded under a beer dealer's permit  
29 or a dining car beer permit.

30 (b) Subsection (a)(9) does not prevent a minor from being a  
31 stockholder in a corporation.

32 SECTION 7. IC 7.1-3-20-8.6 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8.6. (a) The holder of  
34 a club permit may do the following:

35 (1) Designate one (1) day in each month as "guest day".

36 (2) Keep a record of all designated guest days.

37 (3) Invite guests who are not members of the club to attend the  
38 club on a guest day.

- 1           (4) Sell or give alcoholic beverages to guests for consumption on  
2           the permit premises on a guest day.
- 3           **(5) Keep a guest book listing members and their nonmember**  
4           **guests, except on a designated guest day.**
- 5           (b) This subsection applies to a club that furnishes alcoholic  
6           beverages on not more than two (2) days in each week.  
7           Notwithstanding subsection (a)(1), the holder of a club permit to which  
8           this subsection applies may designate twenty-four (24) guest days in  
9           each calendar year rather than one (1) guest day in each month."  
10          Renumber all SECTIONS consecutively.  
            (Reference is to HB 1100 as introduced.)

**and when so amended that said bill do pass.**

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Representative Kuzman